

words "by the user." A detailed argument that the proposed combination of the Schroeder and O'Dell patents did not suggest this feature was made on pages 6-7 of the Amendment dated April 28, 2006. However, the current Office Action refuses to give due recognition to the feature.

The Office Action responds to the rejection merely by saying the words that are frequently found in common or widespread usage "are the words that are frequently used or selected by users when communicating thus the words displayed in the O'Dell reference are the words selected by the user." (See page 2) While this statement is not entirely understood, and no effort is made to clarify it, the response seems to ignore that a particular user may use a word with a different frequency than is common for that word. For example, a user of a device may have employment or business relationship with the beer industry, or a personal fondness for beer, and thus the word "beer" would be used in that user's communications with a frequency that is greater than the average user. See, for example, pages 9-10 of the specification and Figs. 5A and 5B of the drawings. Thus, according to the claimed invention, the word "beer" would be displayed higher in the order of possible words for that user than it would be for another user that uses the word beer with common frequency. On the other hand, the O'Dell patent suggests only a single order of words for all users according to common usage and thus does not suggest the claimed invention.

Selective Combination of References

The rejection asserts that the O'Dell patent teaches modifying the Schroeder patent in a very particular way -- so as to include only the "WL" icon and process described in the paragraph at col. 7, lines 29-43, of the O'Dell patent, and no other part of the O'Dell patent. However, when considered as a whole by one of ordinary skill in the art, the O'Dell patent makes no such selective teaching to modify the Schroeder patent. The Schroeder and O'Dell patents each teach alternative methods of text entry, with no indication in either patent that there should be some sort of a hybrid method of text entry made up by selective parts of each method. There is no suggestion or motivation in the references for one of ordinary skill in the art to make the highly selective combination of references proposed in the rejection.

The "WL" icon and process described in the paragraph at col. 7, lines 29-43, of the O'Dell patent is to be used to improve the text input method disclosed in the O'Dell patent itself.

There is no suggestion that it should be applied to the alternative text input method in the Schroeder patent. The teachings of the O'Dell patent are contained at col. 1, line 8, to col. 2, line 52, and these teachings are not applicable to the Schroeder patent.

Claim 15 – Counter Bits

Claim 15 is a dependent claim reciting further features related to updating counter bits for each word used by the user and modifying the order of the displayed words based on the counter bits. These features of claim 15 were separately argued on pages 7-8 of the Amendment filed on April 28, 2006.

However, the Office Action fails to respond to this argument and merely refers to the statement quoted above that was made with respect to independent claim 13 upon which claim 15 is dependent. However, by definition, a dependent claim recites at least one additional feature and an argument directed specifically to the feature(s) recited in a dependent claim cannot be properly responded to by referring to the rejection of a different claim. Applicants thus repeat their argument that the applied references do not suggest the features recited in claim 15

Applicants hereby petition for a one month extension of time for the Office Action response period. The Commissioner is hereby authorized to charge any additional fees, which may be required for the consideration of this communication, or to credit any overpayment to Deposit Account No. 10-0100 (NOKIA.41US).

Respectfully Submitted,



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